



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 30, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 July 30, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**GRANT OF EASEMENT
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
1952 STORM DRAIN BOND ISSUE 181-15, UNIT 1
SORENSEN AVENUE DRAIN PARCEL 42GE
IN THE UNINCORPORATED COMMUNITY OF
SOUTH WHITTIER
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action will allow the Los Angeles County Flood Control District to grant an easement to Suburban Water Systems for water pipeline purposes over, along, and across Sorenson Avenue Drain in the unincorporated community of South Whittier.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the proposed grant of easement for water pipeline purposes will not interfere with the use of Sorenson Avenue Drain Parcel 42GE for any purposes of the Los Angeles County Flood Control District.
3. Approve the grant of easement for water pipeline purposes from the Los Angeles County Flood Control District to Suburban Water Systems over, along, and across Sorenson Avenue Drain Parcel 42GE in the unincorporated community of South Whittier for \$12,500.

4. Instruct the Chairman of the Board of Supervisors of the Los Angeles County Flood Control District to sign the Easement document and authorize delivery to Suburban Water Systems.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval from the Board, acting as the governing body of the Los Angeles County Flood Control District (LACFCD), to grant an easement from the LACFCD to Suburban Water Systems (SWS) for water pipeline purposes over, along, and across Sorenson Avenue Drain Parcel 42GE in the unincorporated community of South Whittier. SWS requested the easement as a part of its water main replacement project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Fiscal Sustainability (Goal 2). The revenue received from this transaction will help promote fiscal sustainability for the operation and maintenance of flood control facilities. This transaction allows for the improvement of utility services to the area, thereby improving the quality of life for residents of the County of Los Angeles.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

SWS paid a total of \$12,500 for the easement, which represents the fair market value. This amount has been deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The subject easement will run along and cross Sorenson Avenue Drain near Painter Avenue and Mulberry Road in the unincorporated community of South Whittier.

The grant of easement is authorized by Section 2, paragraph 13, of the Los Angeles County Flood Control Act. This Section provides as follows: "The Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and has all the following powers...13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of the board of supervisors of the property, or any interest therein or part thereof, is no longer required for the purposes of the district, or may be leased for any purpose without interfering with the use of the same for the purposes of the district..."

The grant of easement is not considered adverse to the LACFCD's purposes and will not hinder or interfere with the use of Sorenson Avenue Drain for flood control purposes or as possible transportation, utility, or recreational corridors. Moreover, the Easement document reserves paramount rights for LACFCD purposes.

County Counsel approved the Easement document as to form, and subsequent to your action on this matter the document will be recorded.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15302(c) of the CEQA Guidelines and Class 2 of the Environmental Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for the replacement or reconstruction of existing water systems involving negligible or no expansion of capacity.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action allows for the joint use of the LACFCD's right of way without interfering with the primary mission of the LACFCD.

CONCLUSION

Please return one adopted copy of this letter and the executed original Easement document to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate copy for your files.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER
Director

GF:SGS:hp

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

DUPLICATE

RECORDING REQUESTED BY
AND MAIL TO:

Suburban Water Systems
1325 North Grand Avenue, Suite 100
Covina, CA 91724

Space Above This Line Reserved for Recorder's Use

Documentary Transfer Tax is \$
() computed on full value of property conveyed, or
() computed on full value less value of liens and
encumbrances remaining at time of sale
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Assessor's Identification Number:
8158-025-905 (Portion)

By _____
DONALD K. WATTS, DEPUTY COUNTY CLERK

EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to SUBURBAN WATER SYTEMS, a California corporation (hereinafter referred to as SUBURBAN), an easement for water pipeline purposes in, on, under, and across the real property in the unincorporated territory of the County of Los Angeles, State of California, described in Exhibit A and shown on and delineated on Exhibit B, both of which are attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which SUBURBAN, by the acceptance of this Easement document and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. SUBURBAN agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, under, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

3. SUBURBAN shall indemnify, defend, and save harmless DISTRICT, its officers, agents, and/or employees, from any and all claims, demands, liability, loss, damage, or expense to which DISTRICT, its officers, agents, and employees may be subjected as the result of any act or omission by SUBURBAN, its officers, agents, employees, or contractors arising out of the exercise by SUBURBAN, its officers, agents, employees, or contractors of any of the rights granted to it by this Easement document.
4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement document.
5. The provisions and agreements contained in this Easement document shall be binding upon SUBURBAN, its successors, and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following SUBURBAN's exercise of this easement right to construct such structures and improvements, SUBURBAN agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area by SUBURBAN's said improvements.

Dated July 30, 2013



(LACFCD-SEAL)

ATTEST:

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By [Signature]

Deputy

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By [Signature]
Chairman, Board of Supervisors of the
Los Angeles County Flood Control District

181-15 LINE "A", PARCEL 42X (SORENSEN AVENUE
DRAIN) - SUBURBAN WATER SYSTEMS
(File: PROJECT 181-15 (42))
Parcel 42GE
181-15-RW5.1
S.D. 4
Project ID: MPR0000510

M1223006

KR:bw

P:TITLE:KREASESORENSEN42GE 11812

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chairman of the Board on all papers, documents, or instruments requiring the Chairman's signature.

The undersigned hereby certifies that on this 30th day of July, 20 13, the facsimile signature of MARK RIDLEY-THOMAS, Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.



(LACFCD-SEAL)

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By

Julia Weissman
Deputy

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By

[Signature]
Deputy

APPROVED as to title and execution,

_____, 20____.

DEPARTMENT OF PUBLIC WORKS
Survey/Mapping & Property Management Division

Supervising Title Examiner

By

EXHIBIT A

SORENSEN AVENUE DRAIN 42

File with: Project 181-15 Parcel No. 42
181-15-RW5.1
A.I.N. 8158-025-905 (Portion)
T.G. 707 (C4)
I.M. 084-257
S.D. 4
M1223006

LEGAL DESCRIPTION

PARCEL NO. 42GE (Easement for water pipeline purposes):

That portion of Lot 279, Tract No. 17178, as shown on map recorded in Book 446, pages 12 to 19, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within a strip of land 10 feet wide, lying 5 feet on each side of the following described centerline:

Commencing at the most northerly corner of Lot 34 of said Tract No. 17178, said corner also being a point in the southwesterly line of said Lot 279; thence North $56^{\circ}48'09''$ West, along said southwesterly line, a distance of 4.00 feet to the TRUE POINT OF BEGINNING; thence North $33^{\circ}11'51''$ East 10.00 feet to a line parallel with and 10.00 feet northeasterly, measured at right angles, from said southwesterly line; thence North $56^{\circ}48'09''$ West, along said parallel line, a distance of 43.00 feet; thence North $33^{\circ}11'51''$ East 69.00 feet to a line parallel with and 25.00 feet southwesterly, measured at right angles, from the northeasterly line of said Lot 279; thence South $56^{\circ}48'09''$ East, along said last-mentioned parallel line, a distance of 70.85 feet to a line parallel with and 4.00 feet northwesterly, measured at right angles, from the southeasterly line of Lot 4 of said Tract No. 17178; thence North $33^{\circ}11'51''$ East, along said last-mentioned parallel line, a distance of 25.00 feet to said northeasterly line of said Lot 279.

The sidelines of the above-described 10-foot-wide strip of land shall be prolonged or shortened at angle points so as to terminate at their points of intersection.

EXCEPTING from the above-described 10-foot-wide strip of land that portion lying within that certain parcel of land described in deed to MILLARD L. REED and SHIRLEY M. REED, recorded on January 21, 1988, as Document No. 88-88424, of said Official Records.

ALSO EXCEPTING from the above-described 10-foot-wide strip of land that portion lying within that certain parcel of land described in deed to WILLIAM ARTHUR DICKEY and PAULA ANN DICKEY, recorded on October 20, 1987, as Document No. 87-1680889, of said Official Records.

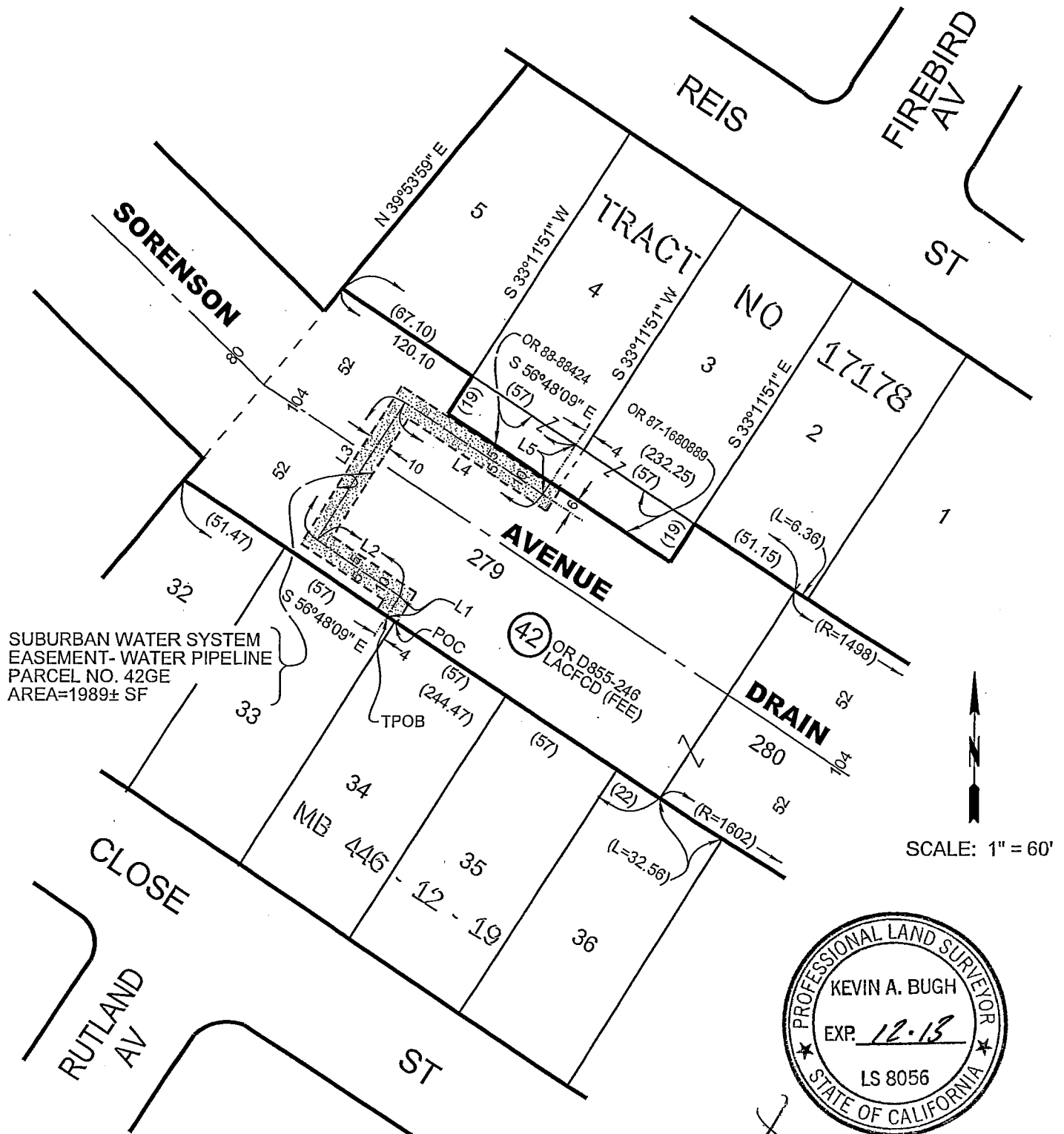
Containing: 1,989± square feet



APPROVED AS TO DESCRIPTION	
<u>OCTOBER 16, 2012</u>	
COUNTY OF LOS ANGELES	
By	<u>[Signature]</u>
LICENSED SURVEYOR	
Survey/Mapping and Property Management Division	

EXHIBIT A

EXHIBIT B



LINE DATA		
LINE	BEARING	DISTANCE
L1	N 33°11'51" E	10.00
L2	N 56°48'09" W	43.00
L3	N 33°11'51" E	69.00
L4	S 56°48'09" E	70.85
L5	N 33°11'51" E	25.00

LEGEND:

() DENOTES RECORD DIMENSIONS.
DIMENSIONS ARE IN FEET.

BY:

~~LICENSED SURVEYOR~~

DATE _____

PROJECT 181-15
SORENSEN AVENUE DRAIN
 REFERENCE 181-15-RW5.1
 (T.G. PG.: 707-C4)